

110TH CONGRESS
2D SESSION

S. 2974

To provide for the construction of the Arkansas Valley Conduit in the State of Colorado.

IN THE SENATE OF THE UNITED STATES

MAY 2, 2008

Mr. ALLARD (for himself and Mr. SALAZAR) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide for the construction of the Arkansas Valley Conduit in the State of Colorado.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Arkansas Valley Con-

5 duit Act of 2008”.

6 **SEC. 2. ARKANSAS VALLEY CONDUIT, COLORADO.**

7 (a) COST SHARE.—The first section of Public Law

8 87–590 (76 Stat. 389) is amended in the second sentence

9 of subsection (c) by inserting after “cost thereof,” the fol-

10 lowing: “or in the case of the Arkansas Valley Conduit,

1 payment of not more than 35 percent of the cost of the
2 conduit,”.

3 (b) RATES.—Section 2(b) of Public Law 87–590 (76
4 Stat. 390) is amended—

5 (1) by striking “(b) Rates” and inserting the
6 following:

7 “(b) RATES.—

8 “(1) IN GENERAL.—Rates”; and

9 (2) by adding at the end the following:

10 “(2) RUEDI DAM AND RESERVOIR, FOUNTAIN
11 VALLEY PIPELINE, AND SOUTH OUTLET WORKS AT
12 PUEBLO DAM AND RESERVOIR.—Notwithstanding
13 the reclamation laws, until the date on which the
14 payments for the Arkansas Valley Conduit under
15 paragraph (3) begin, any revenue that may be de-
16 rived from contracts for the use of Fryingpan-
17 Arkansas project excess capacity or exchange con-
18 tracts using Fryingpan-Arkansas project facilities
19 shall be credited towards payment of the actual cost
20 of Ruedi Dam and Reservoir, the Fountain Valley
21 Pipeline, and the South Outlet Works at Pueblo
22 Dam and Reservoir plus interest in an amount de-
23 termined in accordance with this section

24 “(3) ARKANSAS VALLEY CONDUIT.—

1 “(A) USE OF REVENUE.—Notwithstanding
 2 the reclamation laws, any revenue derived from
 3 contracts for the use of Fryingpan-Arkansas
 4 project excess capacity or exchange contracts
 5 using Fryingpan-Arkansas project facilities
 6 shall be credited towards payment of the actual
 7 cost of the Arkansas Valley Conduit plus inter-
 8 est in an amount determined in accordance with
 9 this section.

10 “(B) ADJUSTMENT OF RATES.—Any rates
 11 charged under this section for water for munic-
 12 ipal, domestic, or industrial use or for the use
 13 of facilities for the storage or delivery of water
 14 shall be adjusted to reflect the estimated rev-
 15 enue derived from contracts for the use of
 16 Fryingpan-Arkansas project excess capacity or
 17 exchange contracts using Fryingpan-Arkansas
 18 project facilities.”.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
 20 7 of Public Law 87–590 (76 Stat. 393) is amended—

21 (1) by striking “SEC. 7. There is hereby” and
 22 inserting the following:

23 **“SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

24 “(a) IN GENERAL.—There is”; and

25 (2) by adding at the end the following:

1 “(b) ARKANSAS VALLEY CONDUIT.—

2 “(1) IN GENERAL.—Subject to annual appro-
3 priations and paragraph (2), there are authorized to
4 be appropriated such sums as are necessary for the
5 construction of the Arkansas Valley Conduit.

6 “(2) LIMITATION.—Amounts made available
7 under paragraph (1) shall not be used for the oper-
8 ation or maintenance of the Arkansas Valley Con-
9 duit.”.

○